



Carney Bates & Pulliam, PLLC represents clients in complex litigation across the country. For a complete firm résumé, please visit www.cbplaw.com/firm-resume.

Representative Cases

***Williams v. State Farm Mutual Automobile Insurance Company*, 4:11-cv-00749-KGB (E.D. Ark.):** Co-Lead Counsel, settlement of \$21.7 million with 7,635 individuals receiving 100% recovery plus 6 percent prejudgment interest while releasing no claims or rights (other than named plaintiffs).

***Ebarle, et al. v. LifeLock, Inc.*, 3:15-cv-00258 (N.D. Cal.):** Co-Lead Counsel in a class action on behalf of customers of the identity theft protection service, arising from claims of misrepresentation, failed to alert customers on a timely basis of potential identity theft, and failed to safeguard data properly. A nationwide settlement of \$68 million was granted final approval in September 2016.

***Matthew Campbell, et al. v. Facebook, Inc.*, 4:13-cv-05996-PJH (N.D. Cal.):** Co-Lead Counsel in a class action involving allegations of email interception and violations of federal anti-wiretapping laws. Final approval of an injunctive relief settlement, securing disclosures and limitations on Facebook's interception and use of private message content, was granted on August 18, 2017.

***Daniel Matera, et al. v. Google, Inc.*, 5:15-cv-04062-LHK (N.D. Cal.):** Co-Lead Counsel in a class action involving allegations of email interception and violation of state and federal anti-wiretapping laws. A settlement, requiring Google to stop using content derived from email transmissions for user profiling and targeted advertising, was granted preliminary approval on August 31, 2017.

***In re: The Home Depot, Inc., Customer Data Security Breach Litigation*, 1:14-md-02583-TWT (N.D. Ga.):** Appointed to the Plaintiffs' Steering Committee in an MDL class action brought on behalf of injured financial institutions in the wake of a massive retailer data breach. A settlement, with a common fund of \$25 million and an additional fund of \$2.25 million for distribution to financial institutions whose claims were purportedly released by third-party sponsors, was granted final approval on September 22, 2017.

***In re: Target Corporation Customer Data Security Breach Litigation*, 0:14-cmd-02522-PAM-JJK (D. Minn.):** Counsel for the Lead Plaintiff, successfully representing Umpqua Bank and a class of financial institution plaintiffs over injuries suffered from one of the largest data breaches in history. A settlement, valued at \$39.4 million, was granted final approval by the Court on May 12, 2016.

***Michael Levine, et al. v. Sony Pictures Entertainment, Inc.*, 2:14-cv-09687-RGK-SH (C.D. Cal.):** Co-Counsel in a class action on behalf of Sony employees whose personal information was compromised in a data breach. Settlement establishing a non-reversionary cash fund of \$2 million for class members' identity theft protection costs, and additional \$2.5 million for identity theft losses, granted final approval April 6, 2016.

***Econo-Med Pharmacy, Inc. v. Roche Diagnostics Corporation*, 1:16-cv-00789-TWP-MPB (S.D. Ind.):** Lead Counsel, representing a class of pharmacies in a Telephone Consumer Protection Act litigation resulting in a \$17 million settlement, which was granted final approval on September 21, 2017.

Wayne Miner et al. v. Philip Morris USA Inc., Circuit Court of Pulaski County, Arkansas, Case No. 60CV-03-4661: Co-counsel in action brought on behalf of Arkansas smokers over claims that the defendant misrepresented the safety of its “light” cigarette products, settling in 2016 for \$45 million.

In re Bank of America Credit Protection Marketing & Sales Practices Litig., 11-md-2269-THE (N.D. Cal.): Member of Plaintiffs' Executive Committee; \$20 million settlement of claims of deceptive marketing of payment protection plans to credit card consumers.

In re DQE, Inc. Securities Litigation, 01-1851 (W.D. Pa.) Case No.: Co-Lead Counsel; \$12 million settlement of class action alleging violation of federal securities fraud laws.

Esslinger v. HSBC Bank Nevada, 2:10-cv-03213-BMS (E.D. Pa.): Co-Lead Counsel; \$23.5 million settlement of claims of deceptive marketing of payment protection plans to credit card consumers.

Kardonick v. JPMorganChase, 1:10-cv-23235-WMH (S.D. Fla.): Co-Lead Counsel; \$20 million settlement of claims of deceptive marketing of payment protection plans to credit card consumers.

In re Lernout & Hauspie Securities Litigation, No. 00-CV-11589-PBS (D. Mass.): Co-Lead Counsel; \$115 million settlement of class action alleging violation of federal securities fraud laws.

Mississippi Public Employees Retirement System v. Semtech Corp. et al., 07-Civ-7183-DC (S.D.N.Y.): Co-Lead Counsel; \$20 million settlement of class action alleging violation of federal securities fraud laws.

Spinelli v. Capital One Bank (USA), et al., 8:08-cv-132-T-33EAJ (M.D. Fla.): Co-Lead Counsel; \$100 million settlement of claims of deceptive marketing of payment protection plans to credit card consumers.

In re Ashanti Goldfields Securities Litigation, CV-00-0717 (E.D.N.Y.): Co-Lead Counsel; \$15 million settlement of class action alleging violation of federal securities fraud laws.

In re Sterling Financial Corporation Securities Class Action, CV 07-2171 (S.D.N.Y.): Co-Lead Counsel, \$10.25 million settlement of class action alleging violation of federal securities fraud laws.

Nelson v. Wal-Mart Stores, Inc., 04-cv-00171 (E.D. Ark.): Co-Lead Counsel; class action settlement securing \$17.5 million in recovery, as well as significant changes to Wal-Mart's hiring policies and four years of court supervision of the settlement terms.

The Quapaw Tribe of Oklahoma v. Blue Tee Corp., 03-cv-0846-CVE-PJC (N.D. Okla.): Co-Lead Counsel; \$11.5 million settlement from Asarco, LLC arising from lead and zinc mining waste; confidential settlements with four other companies.

In re Nationwide Financial Services Litigation, 08-CV-00249 (S.D. Ohio): Co-Lead Counsel; settlement on behalf of shareholders in “change-of-control” transaction achieving \$5.05 per share increase in offer price with total value to shareholders of \$232.8 million.

In re Liberty Refund Anticipation Loan Litig., 1:12-cv-02949 (N.D. Ill.): Co-Lead Counsel; \$5.3 million settlement related to deceptive, fraudulent, and unlawful business practices associated with Refund Anticipation Loans.

State of New Mexico v. Discover Financial Services, Inc., et al., 1:13-cv-00503 (D.N.M.): Co-Lead Counsel; \$2.15 million settlement for deceptive marketing of payment protection to credit card consumers.

State of New Mexico v. JPMorgan Chase & Co., et al., 1:13-cv-00472 (D.N.M.): Co-Lead Counsel; \$2.15 million settlement of claims of deceptive marketing of payment protection plans to credit card consumers.